#### Amusements and Alcetings.

OLTMPIC THEATER.-Variety Performance.

CENTRAL PARK GARDEN.-Concert. Thomas GILMORE'S GARDEN.-Concert.

### Inder to Advertisements.

AMUSEMENTS-Third Page-4th, 5th, and 6th columns. BANKING-HOUSES AND BANKERS-Seventh Page-5th col-Banking-Houses and banking umn.

Board and Rooms—Third Page—4th column.

Besiness Notices—Fourth Page—1st column.

Chances for Business Men—Neven'h Page—5th column.

Corroration Notices—Third Page—4th column.

Dividend Notices—Seventh Page—4th and 5th columns.

Dentistry—Third Page—4th column.

Exclusions—third Page—4th column.

Financial—Secouth Page—3d and 4th columns.

Financial—Secouth Page—3th column.

Help Wanter, Males—Third Page—6th column.

Help Wanter, Males—Third Page—6th column.

Houses, Carriages, Harness, &c.—Third Page—3d column.

HOUSES AND FARMS WANTED - Screnth Page - 6th column.

INSIRT CHOS SAID PAGE 1st 20, and 3d columns.

LEGAL NOTICES SITH Page—3d columns.

MARBLE AND SLATE SIANIS - Second Page—5th column.

MARBLE AND SLATE SIANIS - Fifth Page—6th column.

MARBLE AND DEANIS - Fifth Page—6th column.

MARBLE AND SLATE SIANIS - Fifth Page—6th column.

MISCILLANEOUS - Third Page—3d column; Eighth

Page—5th column.

MISCILIANEOUS-Third Page—3d column; Fighth Page—5th column.

MISHAI, INSTRUMENTS—Third Page—6th column.

MISHAI, INSTRUMENTS—Third Page—6th column.

PROPOSALS—Third Page—3d column.

PROPOSALS—Third Page—3d column.

EAAL ESTATE FOR SALE—CITY—Seventh Page—6th column; BROOKLYN—Seventh Page—6th column; New-JEBSKY—Seventh Page—6th column; AUCTION SALES—Seventh Page—6th column; TO EXCHANGE—Seventh Page—6th column;

BALES BY AUCTION—Third Page—34 column.
BAVINGS BANKS—Seconth Page—4th estiman.
BITCATIONS WANTED, MALES—Third Page—5th columns.
FFECIAL NOTICES—Firth Page—5th columns.
SPECIAL NOTICES—Firth Page—6th column.
STEAMBOATS AND RAILEOADS—Third Page—1st, 2d, and 3d columns.

tinns. S. OCEAN-Seventh Page-5th column. RETREATS-Third Page-1th and 5th columns

Funmer Reflexes—Third Page—1th and 5th columns.
Teachers—Sixth Page—3d column.
The Tene—Third Page—6th column.
To Let—City Property—Seconth Page—6th column;
Country—Seconth Page—6th column.
To Whom it May Concern—Third Page—34 column.

#### Business Notices.

Has written 21.500 Life Policies, and gain-EXCLUSIVELY BOOTS AND SHOES. No dry goods, crockery, br ck dust, or molasses.

All kinds of Boots and Shore, at reduced prices. Lin

OANTHELL, 241 Pourth-ave

Lipress, \$1 50.

ADVERTISERS WANT the paper having THE ADVERTISERS WANT the paper having this Landbert Chaculation among this less friotile. It disputable figures, and facts which the showledge of disputable figures, and facts which the showledge of every one who cares to note the character of the people who take the offerent papers, show conclus walt that the Terman have to the character of the people who have he to tradite from the figures. It is not the figure that the best portions of its script and Brooklyn; among substant at citients, it has the largest circulation of any paper in the city. For figures paring on this point see the notice of interest and diversisers in the Special Notices of to merrow's Thurush. Here a the official report of the postmer of New York to the Postmaster General of the amount of postage past for the first month of the present year to one paper named on its regular eithmas as a from a New York other to as a from the prospection of the present of the postage past of the postage.

TERMS OF THE TRIBUNE.

DARLY TERRUNE, Mail Subscribers, \$10 per annum. SEMI-WULKLY TERRUNE, Mail Subscribers, \$2 per annum. WILKLY TERRUNE, Mail Subscribers, \$2 per annum. THE SEMI-WEEKLY THREENE will be ready this morning at 8 o'clock, in wrappers for mailing. Price 6 cents.

THE TRIBUNE'S MONTHLY CALENDAR.

Sun.   Mon.   Tues.	Accept 1	Thur.	Fri.	Sat
July  4 155 5 186 6 157 11 192 12 193 13 134 1 100 19 200 203 25 25 26 26 27 27 28	9 19	S 183 15 196 2   203	25 204	10 19 17 19 24 26

## New-Dork Daily Tribune. FOUNDED BY HORACE GREELEY

FRIDAY, JULY 30, 1875.

THE NEWS THIS MORNING.

FOREIGN.-Mr. Plimsoll withdrew his unparliamentary expressions, and the House of Commons = The Lord Mayor of London gave was satisfied. a banquet to Mayors and other heads of municipali-Twenty-two bandred workmen went on strike at the St. Gothard Tunnel and became rioteus. The Prince Bishop of Breslau was mediating between Prussia and the Vatican. - The Alfonsists captured the town of Sco de Urgel from the Carlists. - Aventuriere won the Goodwood

DOMESTIC-The Board of Indian Commissioners issued an address to the Christian public; important facts sustaining Prof. Marsh's charges were obtained by the Special Frauds Commission at Omaha. Bishop Ames declines to serve on the Sioux Com-Geo. D. Lord refuses to appear before the Canal Frauds Committee at Albany; Auditor Thayer appeared and testified. \_\_\_\_ The \$1,000,000 and \$3,000,000 issues of Louisiana Levee bonds were decided legal. \_\_\_\_ The contract for live-oak timber for the Navy was given to George Southard of New-York. \_\_\_ The Democratic State Committee was called to meet at Saratoga, Aug. 13. The witnesses for the defense began to testify in the Mountain Meadow trial. \_\_\_\_ The Committee of the Distillers' Convention had a three hours' talk with Internal Revenue Commissioner Pratt. = Fifty people have been killed and wounded in political fights in Indian Territory. = At Saratoga, McDaniei's Springbok and Sanford's Preakness ran a dead heat for the Saratoga Cup. - The trial of Bishop Whittingham at Baltimore has begun.

CITY AND SUBURBAN.-John Baird was appointed Receiver of the Commercial Warehouse Company. - Meetings of the creditors of J. B. Ford & Co. and worth & Watson were held. The Alder-men passed an ordinance to complete the storage reservoirs in Putnam County. - An oil-lighter exploded at Jersey City, killing a river thief and burning two other men. - The Police Commissioners heard testimony on charges against Capt. Burden of protecting vicious resorts. ——The anti-Tammany Democrats held primary elections. ——Gold 11234. 1123, 1125s. Gold value of the legal-tender dollar

at the close, 88710 cents. THE WEATHER.—The Government report predicts warmer and clear or cloudy weather. - In this city, yesterday, cool weather prevailed, with heavy rains. = = = Thermometer, 72°, 75°, 61°.

Readers leaving town for the Summer can have THE DAILY TRIBUNE mailed to them at any address, and the address changed as often as desired, postpaid, for \$1 per month.

The Lord Mayor of London's banquet to heads of municipalities was a novel and interesting feature in civic hospitality. He appears to have received his 650 guests with princely splendor, having expended \$50,000 in decorations alone. The invitation which the Mayor of Philadelphia sent, requesting all to come to the Centernial celebration, was a timely act of courtesy, and will doubtless useful information as to what their project bring forth a friendly response at the proper

The proposition for the laying of new water mains on certain streets, and for the improve- its more important features. ment of the water supply in other respects. which has now been before the Board of Aldereien for more than a month, was brought to vote again yesterday, and met its anticipated defeat in consequence of the partisan division on the subject. The reported assertion of the Commissioner of Public Works cannot be depended upon for twenty-four hours had no effect upon the firmness of the Republican minority. If the exigency is so great it would really seem that some sort of

ence of opinion on the question of having the work done by contract.

Wall Street and the Exchanges fell back yesterday into the midsummer quiet which prevailed before the failure of Dencan, Sherman & Co. and the Commercial Warehouse Company. That so sharp a shock to confidence as was caused by the suspension of a great banking-house should be followed so speedily by a restoration of tranquillity among those persons not 3.65 as the specie to the bank note. The immediately involved in the firm's misfortunes title of paper money can be refused to neither. is proof of the general caution with which The original French assignat bore interest at business and banking are now con- three per cent, but, owing to the invenducted. It is to be regretted that the bankrupt firm is not yet able to fix a date when a statement of assets and liabilities wid be made. Every day of delay will only increase the uneasiness of those persons whose money is locked up by the failure.

The finest racing of this season, and indeed a contest hardly surpassed in the records of the American turf, was seen at Saratoga yesterday, when Springbok and Preakness ran a dead heat for Saratoga Cup. The struggle for this prize is the great event of the meeting at Saratoga, and is anticipated annually with an interest which is not exceeded, if it is equaled, by that connected with any contest at Jerome Park. And that interest is not confined to betting men by any means, although the zeal of that class of persons rose to an extravagant hight yesterday, so much so that it is reported that even John Morrissey made an effort to limit the laying of wagers. The account given in another column shows that the struggle for the Cup was well worthy the enthusiastic praise which it received from the large and fashionable multitude of spectators which poured out from the watering-place to the race-course.

Sensational reports about a pending absorption of the Atlantic and Pacific Telegraph Company by the Western Union gave fresh excitement yesterday to Wall-st. Mr. Jay Gould was credited with this latest combination. That restless speculator does not deay that such a plan is contemplated, but says that details of an adjustment have not yet been reached. The general public will sincerely hope that they never may be. It is not to the general interest that the whole telegraphic system of this continent and of the cables to Europe should be concentrated under a single management. Business men and newspapers would probably have little at the ontset to fear, since the Western Union corporation is too sagacions to impose needless burdens upon its best customers. But it is not in the nature of things that a gigantic monopoly such as this would become could in the long run be depended on for the safest and best service to the public.

The failure of witnesses to appear before the Legislative Canal Investigating Committee when summoned was probably to be expected after the decision of Judge Learned, in the case of another investigating body against nesses to remember as Mr. George D. Lord payment. There is not a creditor of the Gov-Contractor Denison. But it is well for witprobably did, on second thought, yesterday that this decision applied to the powers of the Canal Frauds Commission and not to those of a Committee of the Legislature, and to papers, not to persons. The resolutions adopted by the Committee in view of Mr. Lord's non-appearance show a disposition to brook no such trifling from recalcitrant witnesses, and yet they are dignified and in due legal form. The proceedings and Thomas Jeffetson as having advocated inof the Committee yesterday were not of special importance, except that the evidence brought out a recent letter from the Canal Frauds Commission to Auditor Thayer reporting the existence of gross irregularities in the execution of fifteen contracts, and advising that no further payments be made thereon unreaders of THE TRIBUNE correspondence which was instrumental in bringing about the pending inquiries into canal frauds.

The Board of Indian Commissioners now in session at Long Branch consulted with the President yesterday, and have issued the address "to the Christian Public," which is printed in another column. The sober character of this document demands for it serious and respectful consideration, and yet it is the disinclination manifested for eight years not easy to believe that many Indian past by the people of the United States to pay agents and contractors will read it through and preserve a straight face. In truth the address seems both unnecessary and remarkable. It is at once a defense of the disposition to pay from \$2,000,000,000 present Indian policy of the Government and of the manner in which it is executed; an of which would probably not be 25 cents to assault upon those who question the wisdom of that policy, or who doubt whether it has had a fair trial; an effort to throw the responsibility for the good and evil in it upon the Christian community at large; and a petition for suspension of indement in regard to the serious charges ANOTHER JUDGE DEFENDS THE COURT now under investigation. Underlying the whole there is a sort of indigment protest against the importance of looking closely who institute such inquiries as are now pending, although generally restrained, is hardly under curb in the expressions "loud-mouthed "accusations," "clamor raised and pro-"moted by bad men," and the like. If gentlemen seem to think what reasonable objection can there be to the most searching investigation? Why such exhibitions of anxiety and such unseemly attempts to keep men here- ment with charges. tofore proved dishonest out of trouble? The people are not to be hoodwinked, whether these Commissioners are deceived or deceiving. The interest of religion will not suffer by flooding this whole Indian service with light.

# THE ASSIGNAT PROJECT.

The few remarks we made the other day on the 3.65 assignat have had the effect to draw forth from that school of inflationists some realty is, a portion of which we shall print to-morrow. In order to show just how much inflation and how much repudiation there is in the scheme, we will touch on one or two of

Baird says: "The only system ever devised culiar method of voting and counting, he has utilized. We have no doubt that he for furnishing a country with a volume of there has been no question of his ability or made up his mind some time ago that, for the money in exact accordance with the needs of integrity. And if Mr. Tweed is to receive good of the service, Mr. Delano should "that country-neither in deficiency nor in ex-"cess-is that by which it is proposed that Democratic Judges, he deserves a good deal of the service would not keep Mr. Delano that the pipes in certain parts of the city "the Public Debt of the United States shall it, for no lawyer questions the fact that the in a position to work further mischief only to "be converted into bonds bearing 3.65 per "cent interest, and legal tender notes very strongest in the United States. "interchangeable with each other at "the pleasure of the holder." This Judge Comstock lately addressed to THE confidence we have expressed in his own compromise might be agreed upon, otherwise is from Mr. Peter Cooper's pamphlet, and it Tanaune has attracted unusual attention to disposition to deal honestly with the case if he

English of it-"turn the Public Debt into "greenbacks, and we shall have just money "enough and none too much?"

II. This 3.65 plan has just this single point of resemblance to a currency of gold and bank notes convertible into gold-the greenbacks will stand in the same relation to the tion of steam printing machines, 3.65 per cent interest in paper cannot now be considered excessive. The resemblance to the great parent fraud is still obvious. Finally, Messrs. Carey, Kelley, Carey Baird and Sam Cary, and all the rest of the 3.65 men agree in calling the 7.30s and other interest-bearing legal tender issued by the Government toward the end of the war, currency or money. They agree in denouncing the "money power" for contracting the currency from a total amount to less than \$800,000,000 in 1875. They cannot, therefore, without stultifying themselves, refuse the name of currency to their 3.65 interest-bearing assignat, which has a claim to that name' which the 7.30s and 5 per cent Treasury notes did not possess, since it is convertible into greenbacks on demand. So much for the inflation involved in the

scheme. III. The repudiation element in the proposed system is not less obvious. It proposes to do away, once for all, with the only dollar recognized by the Constitution of the United States, viz., 2515 grains of gold of standard fineness, certified as to purity and weight by the stamp of the Mint. That relie of barbarism is to be utterly abolished and suppressed. The dollar of the future is to be so many decimeters of paper, with a certain number of milligrams of printer's ink introduced by way of alley. The labor of the gold miner and assayer is to be

IV. The promise on the face of the greenback is to be repudiated. That promise reads, "The United States will pay to bearer --- dol-"lars." There is nothing in the Constitution other meaning can be given to the word dollar of standard gold.

V. To take away from the inflationists their the suspended paper at the office of the As-United States will be obliged to ask for an exmoral rights of the holders of greenbacks to ernment, bondholder, office-holder, pensioner, sailor or soldier, who will have a superior claim on the Treasury to the holder of fifty dollars in greenbacks on the 1st of January,

and Ohio who are preaching 3.65 and falsely term. "The question of the number of representing John C. Calhoun, Daniel Webster convertible, legal tender, paper money:

(1.) That no legal tender forced currency, issued by a Government in such quantity as to be at a discount exceeding ten per cent when compared with gold, was ever redeemed according to premise, the common fate of all such currency having been to be repudiated

its value, where they have lost one by the failure of banks to keep their promises, excepting, of course, those instances where the such as were Law's bank and most of the State banks in Europe during the wars of the first Napoleon.

(3). The unprejudiced reader may judge from \$400,000,000 of greenbacks and fractional currency, depreciated not more than 15 or 20 per cent, what would be their to \$4,000,000,000 of assignats, the market value the dollar. If those assignats, 3.65s and all, were not repudiated or funded à la Son h Carolina, and that speedily, we should expect to see regular communication with the next comet established by balloon.

OF APPEALS. Judge Leonard, formerly of the Supreme Court of the State of New-York, makes vigorinto the methods of the service; while a dis- one one laught upon Mr. O'Conor in a letter to position to indulge in open abuse of those The Thibune. The learned Judge bases his the task to which he was invited criticism upon a proposicion to which no exceps tions can be taken. He abandons the idea advanced by others, that the decisions of the Court of Appeals ought not to be questioned or criticised, under penalty of contempt, and everything is going on as smoothly as these merely claims that this criticism should not extend to the motives of Judges, unless the critics are ready to go before a Grand Jury to indiet, or before the High Court of Impeach-

On the whole, this seems to us at once loose talk about the Court of Appeals, but so

present troubles. We beg the reader to study and the letter this morning from Judge Leonover carefully a second time Messrs. Baird and ard will greatly contribute to revive and pro-Cooper's prescription. Is not this the plain long it. There can be no question, we think, that the decision of the Court tends to the benefit "greenbacks and 3.65 bonds convertible into of a notorious thief. We have seen, however, no reason on the one hand for assailing the integrity of the Court, or on the other for hesitating to criticise their decisio, or to share with Mr. O'Conor a feeling of profound disgust, that, under their interpretation, law proves to be one thing, and justice a very different one.

### A SINGULAR "AFFIRMANCE."

To the casual reader the eighth proposition of the platform of the Minnesota Republicans enunciated in their State Convention on Wednesday seems something of a muddle. It states "That the example of Washington in "refusing to be a candidate for a third "Presidential term, and the affirmance "by President Grant of that principle "is one we sacredly cherish, and we "should regard a departure from it a dauger-"ous innovation." The other eleven propositions or "planks" in the platform are of \$2,000,000,000 at the close of the war clearly and intelligibly expressed and grammatically stated; and the whole document, with the exception noted, is in most respects far better than the average of such productions. But this one seems to lack coherence as well as truth. When the Minneseta Republicans say "the example of "Washington" "and the affirmance by Presi-"dent Grant of that principle is one we cher-"ish," they do doubtless mean something; but what on earth is it that they cherish-the example, or the affirmance, or the principle? Or do they cherish all of them, and "regard a departure" from all or any of them "as a "dangerous innovation?" This shockingly bad grammar and mixed sense or nonsense, coming as it does in the middle of a series of intelligible and well-expressed propositions is The only explanation for it that we can

imagine is that the words " and the affirmance that the dovetailing was imperfectly done. sense, and conveys, doubtless, a truthful upon the Third Term question. The interpo-Congress at that—passed a law providing that been no "affirmance by President Grant" from and after Jan. 1, 1879, the specified of the "principle" established by "the weights of standard gold in the shape "example of Washington in refusing to be a coin should be paid to the holders "candidate for a third Presidential term." of greenbacks at sight en presentation of There has been but one public utterance of President Grant on the subject, and that was sistant Treasurer of the United States in the in his letter to Gen. Harry White of Pennsyl-City of New-York in sams of not less than vania. That letter was open to the construcfifty dollars. It is not unlikely that the tion of a withdrawal of his name as a canditension, but that does not affect the legal and party leaders hastened so to construe it must have been a pleasing surprise to the writer. But there was nothing in it that could be tortured into the "affirmance" or so much as a recognition of any "principle" whatever in the matter. Indeed what he did say was in direct contradie--In conclusion we have just this to say to there was any principle or rule or precedent those gentlemen in New-York, Pennsylvania or anything else that could hinder a third we do not dance; "terms allowed to any one Executive," said the President, "can only come up "fairly in the shape of a proposition to amend "the Constitution, a shape in which all political "parties can participate, fixing the length of time or the number of terms for which any one person shall be eligible for the office of President. Until such an amendment is adopted, the "people cannot be restricted in their choice by "resolution further than they are now restricted have lost a hundred dollars by the failure of "in the future history of the country Governments to redeem their paper or sustain "that to change an Executive because "he has been eight years in office will prove "unfortunate, if not disastrous." That does not sound much like an "affirmance" of the banks were the mere tools of the Government, principle established by the example of Washington. Nor do the words in which he declines a renomination, to wit: "I would not "accept a nomination if it were tendered, un-"less it should come under such circumstances

"as to make it an imperative duty." It is of course graffying to know that the Republicans of Minnesota cherish the example of Washington or the principle established by it, if that is what they meant to say, but it was hardly worth while choke up a good resolution with uscless words, and destroy its sense, just to convey the false impression that President Grant cherishes the example of Washington in this particular as fondly as the Minnesota Republicans do.

THE INDIAN COMMISSION AGAIN.

Mr. Wayne MacVeagh declines the President's appointment to the Indian Investigating Commission, and enters a plea for the honesty of the President's purposes in the Indian business. The wisdem of the first step, at least, clear. Mr. MacVeagh evidently sees in the same light with Gov. Bullock. The difficulty Gen. Grant experiences, in getting men of good repute to have anything to do with these Indian affairs, must begin to seem suggestive even to himself.

As to the honesty of the President's purposes

in Indian matters, we should think more of it if accompanied by reasonable sagacity. The trouble with the Indian policy of the Administration is that it has been no policy at all, and that its steady results have sensible and apropos. There has been much been swindling, waste, turmoil, and bloodshed. Sometimes we have been fighting far as it is tangible it seems to boil down into the Indians, sometimes feeding them, and about this:-that the two Republican members | sometimes holding prayer-meetings with them. were never really elected by their party, but they were really elected by their party, but they were really done just before were either voted in or counted in they were ready to go on their raids; the by certain disreputable Democratic politicians prayer-meetings generally came at a in one or two wards in this city, as the result time when fighting would have been of a bargain between James O'Brien and more in order. We talked about a Thomas Murphy; and that the Democratic peace policy, but the peace policy was only members were nominated during Tweed's carried out just enough to hamper and berégime, and may, therefore, be said to devil the army officers, of whom Gen. Crook owe their places to him. Neither of these alone seemed to be far enough away points seems to give a warrant for assailing to be reasonably free from it. As to the motives of the Judges in this case, the relations of the Interior Department 1. Mr. Henry C. Carey says it is not a measure of inflation. Per contra, Mr. Henry Carey his place to "Jimmy" O'Brien's per President has more information already than personal credit for the nomination of the five retire. Real devotion, then, to the good of beach of the Court of Appeals is one of the avoid political complications in an approaching election.-But Mr. MacVeagh's let-The crisp and very striking letter which ter to THE TRIBUNE fully vindicates the there must be something back of the differ- has his indorsement as "the remedy" for our Mr. O'Conor's assault upon our highest Court, undertook it at all. It may, besides, lead some cated.

to take a more charitable view of the President's efforts for reform.

CENTENNIAL POETRY. Perhaps it is too early to estimate the addition which the inspiration of these Centennial

Days will make to poetry distinctively American. As we count one hundred years, the temptation to greet them in the old conventional strain of every-day verse is overpowered by the grandeur of the event, and there is something in the air which keeps the small singers quiet; there is no demand for the conceited or the pretty, for feeble imitation or rondos flowing trippingly on the tongue. The weaver of stanzas who has been writing as nearly as he could like Tennyson or Browning or Swinburne, finds this school of melody alien to the great historic hour, and makes way for those who can commemorate it with sobriety and insight. The amorous, the bacchanalian, the miniature painters of nature, the players of pretty tunes, the votaries of the grotesque stand aside, and listen with the rest to the few great voices which can fitly sing of clothe with metrical grace and attraction those sober truths which separate real history from legend and romance. Conceding that it is the human soul which

ties, republics, conquests, are merely its temporary accidents, the true inspiration of the poet is to be found in man's intellectual and moral vicissitudes. All the rest is picturethis alone is real and surviving-this alone gives value and coherence to the fine scene, to the great action, to all which makes the epic or the lyrical. Mr. Lowell sings, with a sobriety which is itself rapture, of the greatness of ington, and as he does so, all that is hackneyed in our memory of the hero flies from the mind, and the man stands calculated to confuse and mystify the reader. before us in statuesque simplicity, only the immortal of him, the "immovably august," the "grave strength," the "impenetrable justice," "by President Grant of that principle" were the "pure light" remaining. As we gaze upon superseded by that of the rag-picker and interpolated in the original resolution, and this apotheosis, so utterly true and natural, Leaving out the words quoted, it will jesters are dumb, and the shallow lapse into a seen that the resolution makes quiet reverence. The lines of the poet, hard and cold as they may at first seem, grow warm impression of the belief of the Minnesota and lambent, and we comprehend the fineness of or laws of the United States by which any and all other Republicans not office-holders the gold which does not glitter. No dithyrambic, no Alcaic verse, no fine frenzy could move as it stands on the greenback than 25% grains lation is open to two objections: airst, it us so much as these stately meters, which makes nonsense and bad grammar of the carry fire in their very frigidity. It was in original proposition, and, second, it conveys a something of this strain that Mr. Bryant sang last refage, the last Congress—an inflationist wrong and untrathful impression. There has so many years ago, also in Cambridge, the Congress at that—passed a law providing that been no "affrance by President Grant" story of "The Ages," and declared that "here "the free spirit of mankind at length had "thrown its last fetters off." We are willing to believe that this political idealism is, after all, dearer to the aggregate American mind than enormous territory or unprecedented opulence or marked military success. It is dimmed by many vices; it is qualified by small vanities; there is more than a trace date and the eagerness with which the in it of egoism and unworthy jealousy; yet we may credit its existence and its influence when the obscurest orator in the obscurest hamlet stops in his rush of rhetoric to say something of what Liberty has done and will do for the mind and heart and soul of man. There is a poetry in these abstractions which will never be uttered; a flower of which honest and selftion of any such idea, a flat denial in fact that devoted citizenship will be the fruit. Our Centennial breeds no carmagnoles-we sing, but

We owe Mr. Nolan-Mr. Michael Nolan, late Asistant District-Attorney-an apology. In an article in yesterday's TRIBUNE, in which we endeavored to give expression to the sense of pride we all have in Nolan as a man who can get a bill through the State Legislature with very little effort and scarcely any moral turnitude," the impression was conveyed | that Mr. Nolan received only a little more than \$18,000 for what he has so finely described as his intimate connection with "certain facts" which paid him \$18,357, and that other payments bring in deciding the habeas corpu \$90,000. We are sincerely glad that Mr. Nolan, after taking \$90,000 from the steamship companies for "influencing" the Legislature, could look the District-Attorney and Speaker McGuire and the Committee and the general public squarely in the that it was done without turpitude, it does not seem

One of the ethnical characteristics of inflationists just now seems to be a disposition to mangle the speeches of departed statesmen. We showed the other day how some person who furnished Mr. Peter Cooper with extracts from the speeches of Webster and Calle on had garbled them in the interest of inflation, and now we have Gen. Cary committing a similar outrage on the memory of Jefferson. He pretends to quote this sentence from the latter: tion restored to the Nation, to whom it properly belongs. Let banks continue if they please, but let them discount for cash alone, or pay Treasury notes." Between these two sentences in the original came two long ones, which contained among other things the stipulation that such issue shall be "bottomed on taxes," and the fact was entirely ignored that advocate making it a legal tender. Cary plays a similar trick with Calhoun's relics. Fortunately this is boomerang warfare of the most destructive kind. A few mere antics of this description and the inflationists' speeches will receive as little credit as

The subscriptions of the French in aid of their countrymen who have suffered from the floods serve as a fresh reminder of the sparseness of French charperformances. An English authority gives a number of instances of this. When Gustave Lambert endeavored to obtain £40,000 for an Arctic expedition. the combined contributions of the last Emperor, his court, the scientific societies, and 30,000 other subscribers reached only £20,000. The reason was that many of the subscriptions did not exceed a franc or a few sous. Figure was thought to have had remarkable success when its subscription for M. Ducatel. who "introduced the Versailles troops into Paris, and thereby saved the capital," reached 140,000 francs. And the public offerings to pay off the five milliards due to Germany only reached, after the greatest efforts, £120,000, and the Government wisely put an end to them. The cause for this caution in giving is to be found in the moderate fortunes of the French, and the constant demands upon them for charitable purposes.

The retirement of Mr. Michael Nolan from the public gaze for a fortnight, or until August 10, for the purpose of preparing a full statement of account in relation to the receipts and disbursements, &c., in the matter of his fees in the Head Money matter reminds us somehow of that good old tavern-keeper whose book-accounts kept in chalk behind the door were utterly obbterated in the process of house cleaning. "Do you think you've got 'em all down ?" inquired his wife, as he came out of the bar after half a day's hard work restoring the accounts. "No," said he, sadly. "I don't s'pose I have got 'em all; but"-and then he brightened up a little-"what I have got is against better men." Two weeks! Well, no doubt the accounts are compli-

### THE COURT OF APPEALS.

A LETTER FROM EX-JUDGE LEONARD. REVIEW OF MR. O'CONOR'S LETTER - JUDGE NOT LIABLE TO SUITS FOR THEIR JUDICIAL ACIS -A DEFENSE OF THE COURT OF APPEALS. o the Editor of The Tribune.

Sin: It is with reluctance that I venture some

observations respecting the severe criticism of our learned Court of last resort by Mr. O'Conor in his recent letter. That tribunal would require no defense against aspersions of an ordinary character. I do not mean that they would defend themselves, for the dignity of the judiciary forbids that they should enter the area as disputants concerning the merits of the judgments which they have pronounced. Not even the calumnious sngestions of the letter of Mr. O'Conor induced them to utter any complaint or remonstrance. They have hitherto enjoyed the profound respect and veneration not only of the profession but of the general public. A suggestion of the impeachment of the Judges of the Court of Appeals would hardly have found a place in any respectable public journal, coming from any other quarter. Indeed, it is our respect for Mr. O'Conor as a gentleman of truth and honor that has enabled him to deal a blow that seriously tends to weaken the usefulness of the Court of Appeals, and subvert the veneration of the general public for the fountain of justice, and its confidence in the purity, integrity, and a people's past and present and future, and justice of the Court. No greater misfortune can befall the cause of public virtue than that of a court, consisting of seven members, basely uniting in a perversion of just tice and law, in order to screen from punishment one of the most extraordinary malefactors of whom we have any account. is alone perpetuated, and that empires, dynas-

In a later portion of this letter I shall make a few citations from the opinions of most learned and respected furists concerning the immunity of judges from private prosecutions for errors of judgment, and the credit which ought to be accorded, on public grounds, to those who are intrusted with the administration of public justice. I do not intend to condemn criticism of the nions of judges, but the aspersion of their metives in the disposition of causes before them is a public injury, if not a crime, and can be justified only in cases of real culpability. I think it will appear that Mr. O'Conor conduct on the part of the Court of Appeals are unfounded and indefensible so far as the statements of his letter are to be a basis. Having often associated in the cause of justice with several of the gentlemen composing of the Supreme Court of the State, and relations of personal friendship and intimacy having continued miny of them for years, it may perhaps be permitted to me to present some considerations as to the weight and importance of the charges brought by Mr. O'Conor. This night to be the more permissible as those judges are under an imposition of silence in their own behalf. I can only express my regret that their vindicacion has not fallen to an abler pen.

WHY THE ACTIONS WERE NOT SUSTAINED.

Mr. O'Conor's first complaint is that the actions brought in behalf of the people of the State of New-York to recover the money plundered from the treasury of the City and County of New-York were not upheld by the Court of Appeals. These actions were novel in character. They were to recover money which the plaintid, the peo-ple, did not own and of which they were not the trustees. The money had been raised by local taxation for local purposes only. The actions were wholly unprecedented. reason is assigned for not pursuing the plain and natural remedy of an action by the County of New-York, to whom the money confessedly belonged, exept a want of confidence by Mr. O'Conor in the judges who had received their nominations from the culprits, All the judges who had been suspected of dishonesty had resigned or were under impeachment by the time these actions were brought. The New-York Common Pleas as equally open to redress these injuries as the Sapreme York Common Pleas had been suspected of any want of integrity. There was not, in truth, any reason to doubt the remaining members of the two other courts. All of them would have rejoiced, if the chance had been afforded them, on competent evidence, to have vindicated the cause of Justice against the plunderers. The course pursued, for the reason ascribed, is unjustly bumiliating the Bench of this city, as constituted after May, 1872. I have never met with any gentleman skilled in the lawand I have spoken with many on the subject-who did not express the opinion that the actions mentioned could never be maintained. When the decisions were announced no one expressed any surprise but the learned ounsel who had so persistently begun and continued them. The judgment of the court of last resort in these cases met with the general approbation of the whole profession.

The judges cannot advise with counsel as to what they can or will do in advance of the case to be present nor is it ever done.

ME. O'CONOR'S BRIEF.

The letter of Judge Davis contained no inquiry as to Mr. O'Conor's views on these subjects. It related to his rea-

son for not communicating his opinion as to accumuhave assumed for the last few days an "unfortunate | for juagment at the Oyer and Terminer, if he then enterin the investigation is concluded. The names appearing in this black list are familiar to the contained appearing in this black list are familiar to the contained appearing in this black list are familiar to the contained appearing in this black list are familiar to the contained appearing in this black list are familiar to the contained appearing in this black list are familiar to the contained contained appearing in this black list are familiar to the contained containe the amount up to somewhere in the neighborhood of the clearness bring the part of the period of the clearness bring the period of the clearness that the period of and terseness with which Mr. O'Conor had expressed the positions and arguments on the subject of the trial of several offenses by one indictment or penal action. The case in which Mr. O'Conor prepared his brief from which Judge Allen made the citation was a eye, and say that this transaction, full as it was of civilaction to recover a large number of penalties by mystery, hadn't the least drop of turpitude in it. It private informer on a single suit. He there stated that was large pay, to be sure, but when you consider it had never been the practice to allow two distinct offenses to be tried at the same time, either by indictment or penal action. That action was a penal one. He further stated that such a practice would cause confusion and embarrassment on the part of the accused, and break down and obliterate many principles of law well established and essential to the safety of the citizen.

It will be observed that the brief is not cited as authority, but on account of its aptness of expression, in which the learned lawyer certainly excels. Mr. O'Conor in no part of his long letter to Judge Davis says that he has altered his own opinion on this subject. But he says the Court of Appeals have overruled, or rather have depretends to quote this sentence from the latter: cited against his positions. He seeks to convict the Bank paper must be suppressed, and the circulaidea that the Court decided in the case of Fisher agt. N. Y. C. and H. R. R. R. Co., reported in 46th N. Y. Rep., 614, that two or more penalties can be recovered in a single action. That was not the decision. The Court decided that only a single penalty could be recovered in that action under the Judge Grover to other decisions under other statutes, that several penalties could be recovered in the same civil action, was a mere passing remark, what is known as an obiter dictum, of no force or authority whatever, and entirely foreign to the judgment. There had been a recovery by the judgment of the Court below from which the appeal had been taken to the Court of Appeals for a large number of penalties by an informer in one civil no tion. The Judges of the Court of Appeals concurred in reducing the recovery to a single penalty. Whether they concurred in the opinion expressed by Judge Grover that many penalties could be recovered in the same action does not appear, as that question ould not be decided, as it did not arise, in a case where only one penalty was allowed to be recovered. If what Mr. O'Conor made his argument referred to it had not been authoritatively settled that duplicate penaltics could be recovered in a civil action, as claimed by him, that case did not so determine, and the law was unsettled after as before that decision.

The argument drawh by Mr. O'Conor is disingenuous and, unless I greatly mistake his character, he would be

the first to condemn it in another.

Again, Mr. O'Coner says no one will suggest that there s any distinction between a prosecution by civil action

recover several penalties and a criminal prosecution for several offenses. Every lawyer well understands and escentions in the joinder of defferent causes of action in the one and the joinder of effenses in the other. In civil actions the law seeks to limit the number of suits by joining all causes of the same general character. It releves the party to be charged from an accumulation of costs by several actions. The law, from tenderness to one accused of crime, and to prevent confusion and curbarrassment on the part of the defense, and all prejudice to the party indicated, never sanctioned the joinder of distinct all asses in one indictment. As to the joinder of several crimes in one indictment, Judge Affen considered the intel of Mr. O'Conor very much in point and adopted its language It does not follow that he agreed with him in the application of the same principle to civil actions to recover several penalties. On this point Mr. O'Coner assumes that the joinder of several penalties in one civil action and foinder of several offen ses in one indictment depend on the same principle. He says it is so, but fails to give either a reason or an authority for his assertion. I sup-

sympathy and a fear to the public mind that some loss